

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)
vs.) Case No. 1:00-cr-19
JAMEY NOCHO) JUDGE COLLIER

MEMORANDUM AND ORDER

The defendant appeared for a hearing before the undersigned on August 15, 2012 and August 16, 2012, in accordance with Rule 32.1 of the Federal Rules of Criminal Procedure on the Petition for Warrant for Offender Under Supervision (Petition) of U.S. Probation Officer Kevin Matherly and the Warrant for Arrest issued by Chief U.S. District Judge Curtis L. Collier. Those present for the hearing included:

- (1) AUSA Gregg Sullivan for the USA.
- (2) Defendant JAMEY NOCHO.
- (3) Attorney Gianna Maio for defendant.
- (4) Deputy Clerk Kelli Jones.

After being sworn in due form of law the defendant was informed or reminded of his privilege against self-incrimination accorded him under the 5th Amendment to the United States Constitution.

It was determined the defendant wished to be represented by an attorney and he qualified for the appointment of an attorney to represent him at government expense. Federal Defender Services of Eastern Tennessee, Inc. was APPOINTED to represent the defendant. It was determined the defendant had been provided with a copy of the Petition and the Warrant for Arrest and had the opportunity of reviewing those documents with his attorney. It was also determined the defendant was capable of being able to read and understand the copy of the aforesaid documents he had been provided.

The defendant asked that the preliminary hearing and detention hearing be postponed one day. The hearings were rescheduled for Thursday, August 16, 2012.

At the August 16, 2012, hearing, defendant waived his right to a preliminary hearing.

AUSA Sullivan called USPO Kevin Matherly as a witness and moved that the defendant be detained pending the revocation hearing.

Findings

(1) Based upon USPO Matherly's testimony, the undersigned finds there is probable cause to believe defendant has committed violations of his conditions of supervised release as alleged or set forth in the Petition, , but will allow defendant to continue on bond conditions as previously imposed on defendant.

Conclusions

It is ORDERED:

- (1) The motion of AUSA Sullivan was well taken, however, the Court allowed the defendant to remain on BOND pending the revocation hearing before U.S. District Judge Curtis L. Collier is GRANTED.
- (2) The Defendant shall report for a revocation hearing before Judge Collier on **Thursday, September 27, 2012, at 9:00 am.**

ENTER.

S /William B. Mitchell Carter
UNITED STATES MAGISTRATE JUDGE